Docket No.: 067234-0130 **PATENT** 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fan, Jian-Bing Appl. No. : 10/537,204 Filed : June 03, 2005

: MULTIPLEXED METHYLATION

**DETECTION METHODS** 

Grp./A.U.: 1634

Examiner: : LU, Frank Wei Min

Customer No.: 41552 Confirmation No.: 3434

CERTIFICATE OF MAILING BY EXPRESS MAIL(37

CFR § 1.10)

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I hereby certify that this paper or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR § 1.10 on the date indicated
above and is addressed to Commissioner for Patents, P.O. Box
1450 Apexandra VA 223 3-7350 on October 30, 2007.

### **CORRECTION OF FILING RECEIPT**

Sir:

The Filing Receipt issued on August 17, 2007, does not list the correct Domestic Priority data as claimed by applicant. The Domestic Priority data should read as follows:

This application is a 371 of PCT/US2003/038582, 12/03/2003 which is a CIP of 10/309,803 12/03/2002

Attached is a copy of the Filing Receipt with the changes noted thereon (Exhibit A). A copy of the PCT Request is attached with the correct priority claim (Exhibit B). Applicants accordingly request that these corrections be made of record and that an amended Filing Receipt be issued.

No fee is deemed necessary in connection with the filing of this Communication. However, if any fee is required, authorization is hereby given to charge any fees to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Astrid R. Spain

Registration No. 47,956

4370 La Jolla Village Drive, Suite 700

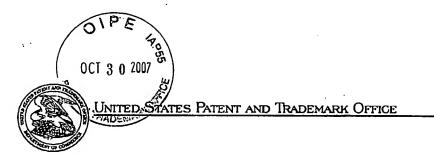
San Diego, CA 92122

Phone: 858.535.9001 ARS:cjh

Facsimile: 858.597.1585

Date: October 30, 2007

Please recognize our Customer No. 41552 as our correspondence address.



Page 1 of 3/

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/537,204	02/06/2007	3643	1070	067234-0130	29	4

41552 MCDERMOTT, WILL & EMERY 4370 LA JOLLA VILLAGE DRIVE, SUITE 700 SAN DIEGO, CA 92122



McDERMUTT, WILL & EMERY

Date Mailed: 08/17/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of InItial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jian-Bing Fan, San Diego, CA;

Power of Attorney: The patent practitioners associated with Customer Number 41552.

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/38582 12/03/2003 which is a CIP of 10/309,803 12/03/2002 which claims benefit of 60/336,958 12/03/2001 and is a GON of PCT/US02/148364 06/07/2002 which claims benefit of 60/311,271 08/00/2001 and is a GON of 00/015,231 07/24/2001 PAT 6,800,741 which claims benefit of 60/207,600 06/11/2001 and said 10/309,809 12/03/2002 is a GON of 90/770,376 02/07/2001 which claims benefit of 00/100,810 02/07/2000 and claims benefit of 00/234,143 09/21/2000 (\*)Data provided by applicant is not consistent with PTO records.

#### Foreign Applications

If Required, Foreign Filing License Granted: 08/16/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/537,204

**EXHIBIT A** 

Projected Publication Date: 11/22/2007

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Multiplexed Methylation Detection Methods

**Preliminary Class** 

119

### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

**GRANTED** 

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

# PCT

## REQUEST

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International Applicat	ion No.				
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International Filing D	ate ·				
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Name of receiving Of	fice and	PCT	Internatio	nal Applica	ion"

•	International Filing	Date
The undersigned requests that the present		
international application be processed		,
according to the Patent Cooperation Treaty.	Name of receiving (	Office and "PCT International Application"
	Applicant's or agent (if desired) (12 char	h/234-Uh8
Box No. I TITLE OF INVENTION		
MULTIPLEXED METHYLATION DETECTION METHODS		1
Box No. II APPLICANT This person	n is also inventor	
Name and address: (Family name followed by given name; for a legal entity,		Telephone No.
The address must include postal code and name of country. The country of the ac Box is the applicant's State (that is, country) of residence if no State of residence		858.202.4500
ILLUMINA, INC.		Facsimile No.
9885 Towne Centre Drive	•	858.202.4545
San Diego, California 92121 UNITED STATES OF AMERICA		Teleprinter No.
		Applicant's registration No. with the Office
State (that is, country) of nationality: US	State (that is, cour	ntry) of residence:
	ed States except States of America	the United States the States indicated in the Supplemental Box
Box No. III FURTHER APPLICANT(S) AND/OR (FUR	THER) INVENTOR	(S)
Name and address: (Family name followed by given name; for a legal entity, )	full official designation.	This person is:
The address must include postal code and name of country. The country of the ad Box is the applicant's State (that is, country) of residence if no State of residence i		applicant only
FAN, Jian-Bing	-:	applicant and inventor
5247 Pearlman Way   San Diego, California   92130	N. Comments	
UNITED STATES OF AMERICA	•	inventor only (If this check-box is marked, do not fill in below.)
	`	Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, cour	ntry) of residence:
CN	US	
This person is applicant all designated all designate for the purposes of:	ed States except States of America	the United States the States indicated in the Supplemental Box
Further applicants and/or (further) inventors are indicated o	n a continuation sheet	
Box No. IV AGENT OR COMMON REPRESENTATIV	E; OR ADDRESS FO	OR CORRESPONDENCE
The person identified below is hereby/has been appointed to act of the applicant(s) before the competent International Authorities		agent common representative
Name and address: (Family name followed by given name; for a legal entity, The address must include postal code and name of count		Telephone No. 858.535.9001
SPAIN, Astrid R. McDERMOTT, WILL & EMERY 4370 La Jolla Village Drive		Facsimile No. 858.535.8949
Suite 700 San Diego, California 92122 UNITED STATES OF AMERICA		Teleprinter No.
		Agent's registration No. with the Office 47,956
Address for correspondence: Mark this check-box where space above is used instead to indicate a special address to	no agent or common which correspondence	representative is/has been appointed and the e should be sent.

Form PCT/RO/101 (first sheet) (March 2001; reprint July 2003)

LegalStar 2003, Form PCTREQ

See Notes to the request form

Box No.V DESIGNATION OF STATES

Mark the applicable check-boxes below; at least one must be marked.

The following designations are hereby made under Rule 4.9(a):

#### Regional Patent

- AP ARIPO Patent: GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, MZ Mozambique, SD Sudan, SL Sierra Leone, SZ Swaziland, TZ United Republic of Tanzania, UG Uganda, ZM Zambia, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT (if other kind of protection or treatment desired. specify on dotted line) and utility model
- EA Eurasian Patent: AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of
- European Patent: AT Austria, BE Belgium, BG Bulgaria, CH & LI Switzerland and Liechtenstein, CY Cyprus, CZ Czech Republic, DE Germany, DK Denmark, EE Estonia, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, HU Hungary, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, RO Romania, SE Sweden, SI Slovenia, SK Slovakia, TR Turkey, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- OAPI Patent: BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, GQ Equatorial Guinea, GW Guinea-Bissau, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment desired, specify on dotted line

Na Na	ıtional	Patent (if other kind of protection or	National Patent (if other kind of protection or treatment desired, specify on dotted line):							
	ΑE	United Arab Emirates				$\boxtimes$	ОМ	l Oman ·		
	AG				Hungary		PG	Papua New Guinea		
Ø	AL	Albania			Indonesia		DLI	Philippings		
×	AM	Armenia			Israel	$\boxtimes$	PL	Poland		
Ø	ΑТ	Austria and utility model			India	$\boxtimes$	PT	Portugal		
$\boxtimes$	· AU	Australia	$\boxtimes$	IS	Iceland	_		Romania		
Ø	AZ	Azerbaijan	$\boxtimes$	JP	Japan	$\boxtimes$	RU	Russian Federation		
Ø		Bosnia and Herzegovina								
×	BB				Kyrgyzstan			Seychelles		
×	BG	Bulgaria	$\boxtimes$	KP				Sudan		
Ø		Brazil			of Korea					
Ø			X		Republic of Korea					
Ø		Belize	$\boxtimes$							
Ø					Saint Lucia			Sierra Leone		
		LI Switzerland and Liechtenstein						Syrian Arab Republic		
Ø		China				$\boxtimes$		Tajikistan		
		Colombia						Turkmenistan		
		Costa Rica						Tunisia		
		Cuba			_			Turkey		
. —	CZ	Czech Republic & utility model						Trinidad and Tobago		
_	DE	Germany and utility model								
	DK	Denmark and utility model	$\boxtimes$	MD				United Republic of Tanzania		
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_	GB	<del>-</del>			Mexico			Viet Nam		
. —	GD	Grenada	X					Serbia and Montenegro		
	GE							South Africa		
X		Ghana	X	NO				Zambia		
Ø	GM	Gambia	X	NZ	New Zealand	X	ZW	Zimbabwe		
С	Check-boxes below reserved for designating States which have become party to the PCT after issuance of this sheet:									

Precautionary Designation Statement: In addition to the designations made above, the applicant also makes under Rule 4.9(b) all other designations which would be permitted under the PCT except any designation(s) indicated in the Supplemental Box as being excluded from the scope of this statement. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation (including fees) must reach the receiving Office within the 15-month time limit.)

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☑ Egypt EG.....

Supplemental Box

2.

If the Supplemental Box is not used, this sheet should not be included in the request.

If, in any of the Boxes, except Boxes Nos VIII(i) to (v) for which a CONTINUATION OF BOX IV: special continuation box is provided, the space is insufficient to furnish all the information: in such case, write "Continuation of ' (indicate the number of the Box) and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:

if more than two persons are to be indicated as applicants and/or inventors and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required and their address is the in Box No. III. The country of the address indicated in this Box is No. IV of this Request. the applicant's State (that is, country) of residence if no State of . residence is indicated below;

if, in Box No. II or in any of the sub-boxes of Box No. III; the indication "the States indicated in the Supplemental Box" checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;

if, in Box No. II or in any of the sub-boxes of Box No. III, the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;

if, in addition to the agent(s) indicated in Box No. IV, there are further agents: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;

if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication "patent of addition," or "certificate of addition," or if, in Box No. V, the name of the United States of America is accompanied by an indication "continuation" or "continuation-in-part": in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent. title or parent application and the date of grant of the parent title or filing of the parent application;

if, in Box No. VI, there are more than five earlier applications whose priority is claimed: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI.

If, with regard to the precautionary designation statement contained in Box No. V, the applicant wishes to exclude any State(s) from the scope of that statement: in such case, write "Designation(s) excluded from precautionary designation statement" and indicate the name or two-letter code of each State so excluded.

CAMPBELL, Cathryn GAY, David A. GASHLER, Andrea L. CADENA, Deborah L. SPAIN, Astrid R. GUY, Pamela M.

The above-named attorneys and patent agents are all members of the firm of McDermott, Will & Emery, and their address is the same as that shown in Box

Box No. VI PRIORITY	CLAIM			
The priority of the following e	arlier application(s) is hereb	y claimed:		
Filing date	Number		Where earlier application	n is:
of earlier application (day/month/year)	of earlier application	national application: country or Member of WTO	<del></del>	<del>                                     </del>
item (1) 03 December 2002 (03.12.02)	10/309,803	US		
item (2)				
item (3)				
item (4)				
item (5)				
Further priority claims ar	re indicated in the Supplemen	ntal Box.		
The receiving Office is reque- (only if the earlier application Office) identified above as:	sted to prepare and transmi on was filed with the Office	it to the International Bu which for the purposes	reau a certified copy of of this international app	the earlier application(s) plication is the receiving
all items item (1)	item (2)	item (3) item (4)	item (5)	other, see Supplemental Box
* Where the earlier application Industrial Property or one Membe	is an ARIPO application, indier of the World Trade Organiza	icate at least one country pation for which that earlier c	party to the Paris Conventiapplication was filed (Rule 4	on for the Protection of 4.10(b)(ii)):
	<u></u>	· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·
Box No. VII INTERNAT	TIONAL SEARCHING AU	THORITY		<u>*</u>
Choice of International Sear international search, indicate the			Searching Authorities are	competent to carry out the
ISA/ us				
Request to use results of ear	v):			ut by or requested from the
Date (day/month/year)	Number	Country (or reg.	ţional Office)	
03 December 2002	10/309,803	3 . US		
Box No. VIII DECLARAT	. ions			•
The following declarations are check-boxes below and indicate	e contained in Boxes Nos. te in the right column the nu	VIII (i) to (v) (mark the imber of each type of decl	applicable laration):	Number of declarations
Box No. VIII (i)	Declaration as to the identity	ly of the inventor		:
Box No. VIII (ii)	Declaration as to the applicadate, to apply for and be gra	ant's entitlement, as at the anted a patent	e international filing	:
	Declaration as to the applica date, to claim the priority of		e international filing	•
Box No. VIII (iv)	Declaration of inventorship United States of America)	(only for the purposes of	f the designation of the	
Box No. VIII (v)	Declaration as to non-prejud	dicial disclosures or exce	ptions to lack of novelty	<u> </u>

Sheet	No	5

Box No. IX CHECK LIST; LANGUAGE OF FILING							
This international application contains: (a) in paper form, the following number of	This international application is accompanied by the following item(s) (mark the applicable check-boxes below and indicate						
sheets:	right column the number of each item).  1   ☐ fee calculation sheet	. 1					
request (including declaration sheets) : 5	2. original separate power of attorney	:					
description (excluding	3. original general power of attorney	٠:					
sequence listings and/or tables related thereto) : 87	4. copy of general power of attorney; reference number,						
claims : 4	if any:	:					
abstract : 1	5. U statement explaining lack of signature	<b>:</b>					
diawings	6. priority document(s) identified in Box No. VI as item(s):	:					
Sub-total number of sheets : 111	7. Translation of international application into (language):	:					
sequence listings :	8. Separate indications concerning deposited microorganis	m .					
tables related thereto :  (for both, actual number of	or other biological material	:					
sheets if filed in paper form, whether or not also filed in	9 sequence listings in computer readable form (indicate type and number of carriers)						
computer readable form; see (c) below) :	(i) copy submitted for the purposes of international sea under Rule 13ter only (and not as part of the international sea.						
Total number of sheets : 111	application)	:					
(b) only in computer readable form (Section 801(a)(i))	<ul> <li>(ii) (only where check-box (b)(i) or (c)(i) is marked in le column) additional copies including, where applicate the copy for the purposes of international search und</li> </ul>	ile.					
(i) sequence listings (ii) tables related thereto	Rule 13ter	:					
(c) also in computer readable form	or copies with the sequence listings mentioned in le	it columi					
(Section 801(a)(ii)) (i) sequence listings	10. Tables in computer readable form related to sequence li	stings					
(ii) tables related thereto	(indicate type and number of carriers)						
Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are	(i) copy submitted for the purposes of international sear Section 802(b-quater) only (and not as part of the international application)	ch under					
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